IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 15860 of 2004

Between:

M/s Hindustan Lever Limited Moosapet, Hyderabad, rep by its Manager-Sales Tax (Appeals) Mr.Y Mani

..... PETITIONER

AND

1 The Assistant Commissioner (CT)LTU Hyderabad Rural Division,

Hyderabad.
2 The Appellate Deputy Commissioner (CT) Hyderabad Rural

Division, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or order or direction restraining the 1st respondent from taking any coercive steps to collect the balance disputed tax of Rs.8.67,259/- as per the consequential notice dated 23.8.2004 for the assessment year 2003-04 (April to June 2003) till disposal of the appeal filed by the petitioner before the Sales Tax Appellate Tribunal and pass.

Counsel for the Petitioner:MR.P.SRINIVASA REDDY

Counsel for the Respondent No.: GP FOR COMMERCIAL TAX

The Court at the admission stage made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki).

Heard learned counsel for the parties and with their consent the writ petition is being disposed of at this stage.

Petitioner had obtained stay from this Court on payment of Rs.8,50,000/-, pending appeal before the first appellate authority. Now the appeal has been decided by the first appellate authority and the petitioner has filed second appeal, which is pending before the Sales Tax Appellate Tribunal.

In these circumstances, we consider, in the interest of justice, to continue the stay till the appeal is decided by the Tribunal.

The writ petition is accordingly disposed of. No order as to costs.

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(BILAL NAZKI, J)

7th September, 2004

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(S.ANANDA REDDY,J)

vrn

To

1 The Assistant Commissioner (CT)LTU Hyderabad Rural Division,

Hyderabad.

2 The Appellate Deputy Commissioner (CT) Hyderabad Rural

Division, Hyderabad.

3 Two C.Cs to the Government Pleader for Commercial Taxes,

High Court Buildings, A.P., Hyderabad (OUT)

4 Two C.D copies